

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DEANDRE CRITTENDEN,

Plaintiff,

vs.

PAUL HASIAK,

Defendant.

8:15CV427

ORDER

This matter is before the Court on the Motion in Limine submitted by Defendant Paul Hasiak, ECF No. 61. Hasiak seeks to preclude the Plaintiff, Plaintiff's counsel, and witnesses, "from making any direct or indirect reference or mention whatsoever, through questions, testimony, argument, or objection . . . to any complaints filed or made against Defendant not arising out of the current lawsuit or any outcome of any complaint made against Defendant, to wit, complaint and judgment in Case No. 8:11cv128." *Id.*

The Defendant submitted a brief, ECF No. 62, in support of the Motion, arguing that any such reference would be irrelevant and unduly prejudicial. The Plaintiff has not submitted any brief in opposition to the Motion. The Court notes that the complaint and judgment in Case No. 8:11cv128 are listed as Exhibits 1 and 2 on the joint exhibit list attached to the Pretrial Order, ECF No. 63, Page ID 232, and the Defendant noted his objections, including hearsay, relevance, and Federal Rules of Evidence 403 and 404, consistent with the pending Motion in Limine.

The Court concludes that evidence of complaints filed or made against Hasiak not related to the facts of this case should be precluded, in limine, unless and until the

relevance of such evidence is demonstrated pursuant to Federal Rule of Evidence 404(b)(2).

Accordingly,

IT IS ORDERED:

The Plaintiff, Deandre Crittenden, and his lawyers and witnesses, are precluded, in limine, from making any direct or indirect reference to, or mention of, any complaints made against Defendant Paul Hasiak, not arising out of the facts of this case, including but not limited to the complaint and judgment in Case No. 8:11cv128.

Dated this 5th day of December, 2017.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge